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NASSAU COUNTY LEGISLATURE

NORMA GONSALVES,
Presiding Officer

ECONOMIC & COMMUNITY DEVELOPMENT
& LABOR COMMITTEE

DENISE FORD, Chairwoman

1550 Franklin Avenue
Mineola, New York

Monday, June 1, 2015
4:37 P.M

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A P P E A R A N C E S :

DENISE FORD,
Chairwoman

HOWARD KOPEL,
Vice Chairman

JAMES KENNEDY

STEVEN RHOADS

CARRIE SOLAGES,
Ranking

DELIA DERIGGI-WHITTON

SIELA A. BYNOE

WILLIAM J. MULLER, III
Clerk of the Legislature

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LIST OF SPEAKERS

GERALD POGLISACK.....	5
RICH O'KANE, public comment.....	6
JOE MONTEBANO, public comment.....	15

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2 CHAIRWOMAN FORD: At this time
3 I'm going to call the Economic and Community
4 Development and Labor Committee to order.
5 Can everybody please take their seats? I
6 will ask the clerk to please call the roll.

7 CLERK MULLER: Legislator
8 DeRiggi-Whitton?

9 LEGISLATOR DERIGGI-WHITTON:
10 Here.

11 CLERK MULLER: Ranking Member
12 Solages?

13 LEGISLATOR SOLAGES: Here.

14 CLERK MULLER: Legislator Rhoads?

15 LEGISLATOR RHOADS: Here.

16 CLERK MULLER: Legislator
17 Kennedy?

18 LEGISLATOR KENNEDY: Present.

19 CLERK MULLER: Vice Chairman

20 Kopel?

21 LEGISLATOR KOPEL: Here.

22 CLERK MULLER: Chairwoman Ford?

23 LEGISLATOR FORD: Here.

24 CLERK MULLER: We have a quorum.

25 CHAIRWOMAN FORD: Thank you.

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2 Today we have one item before us,
3 Clerk Item 198-15, it's a proposal, local
4 law to amend the miscellaneous laws of
5 Nassau County with respect to apprenticeship
6 training programs for county contracts.

7 Do we have a motion to move it?

8 LEGISLATOR KOPEL: So moved.

9 LEGISLATOR KENNEDY: Second.

10 CHAIRWOMAN WALKER: So moved by
11 Kopel, seconded by Kennedy. Thank you. Do
12 we have anybody here from the county to
13 speak on this?

14 MR. POGLISACK: Good afternoon.
15 My name is Gerald Poglisack. I'm here with
16 James LaRusso who actually wrote the
17 amendment. This is in fact a refinement of
18 the law that governs apprenticeship training
19 programs. It's designed to cause the ending
20 of apprenticeships by the completion of the
21 individuals who are involved in the
22 programs. That's it in a nutshell.

23 LEGISLATOR FORD: Does anybody
24 have any questions up here on the dais? Any
25 comments?

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2 (No verbal response.)

3 We have one speaker, Rich O'Kane.
4 Please come up.

5 MR. O'KANE: Good afternoon.

6 Thank you for the opportunity to speak here.

7 I would like to refine that a little bit

8 better and let you know that what it is,

9 it's going to require contractors that claim

10 that they have an apprenticeship program to

11 actually graduate somebody. All through the

12 past, the Department of Labor, in the last

13 several years, had to suspend over 100 of

14 those programs because they were bogus.

15 I represent the Nassau Suffolk

16 Building Trades with 59,000 men and women.

17 Every one of those individuals goes through

18 a program, whether it's three years, four

19 years or five years, at a cost of \$35,000 to

20 \$50,000 per student depending on the craft

21 that they pick. On top of that, they're out

22 in the field learning as they go too,

23 earning a living.

24 I don't know what these people

25 that profess to have these programs do, it

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2 doesn't cost the county, doesn't cost
3 anybody anything but the unions to provide
4 this help. So, those kinds of numbers, they
5 get the best of help.

6 I would like to invite anybody
7 here on this committee here to tour our
8 schools to see our facilities at your
9 convenience. They are state of the art and
10 then I would invite you to go and see the
11 other side's facilities, and you better have
12 a full tank of gas because you are going a
13 long way, a long time.

14 What we have a problem with too,
15 and why it's a problem, these people come
16 from Arkansas, Kansas, Utah, Mississippi,
17 Texas, Georgia, North Carolina,
18 Pennsylvania, Massachusetts, New Jersey, and
19 they come here, and how do we know what
20 qualifications they have? At least when you
21 hire, we'll have the people from the Nassau
22 County Suffolk Building Trades come, you
23 know that they're licensed and have all the
24 training that's absolutely necessary.

25 One of the things that's

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2 paramount in these programs is dealing with
3 the safety issues. Safety is paramount.
4 You have to have a fistful of certificates
5 to get out of apprentice school and to go on
6 these jobs.

7 With the past environment with
8 some of these accidents in the city and Long
9 Island, they happen and you have to be as
10 qualified as possible. So we are looking
11 for a level playing field. We have problems
12 with allowing all these people coming into
13 this jurisdiction and putting in the hours
14 that they do.

15 Hurricane Sandy, you couldn't get
16 a hotel room or anything like that from the
17 Queens border out to Montauk Point with all
18 the out of state contractors that had all
19 these rooms ready to go to work with people
20 that lost their houses and everything else,
21 had no place to go, a lot of them got stuck.
22 That, in itself, is a tragedy.

23 But the whole idea is, there's
24 two things that people don't understand when
25 you say, well, they got the job, what

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2 difference does it make? It makes a big
3 difference because the people from the
4 Nassau County Building Trades, they get
5 benefits. These people don't. When these
6 people from all of these states that I just
7 enumerated are allowed to come in here and
8 do this work, the first thing to go are the
9 men's health benefits. To maintain health
10 benefits in a union, you have to work x
11 amount of hours. Each local union has a
12 different requirement, but they're the first
13 to go.

14 The other thing to go, one of the
15 other catalysts for making them go too is
16 the money has to be a return. So if it
17 doesn't earn that return in conjunction with
18 the hours not going in there, an hourly
19 contribution, it's not long before those
20 benefits evaporate. I know that my past
21 organization, I went through \$40 million in
22 a year and a half. I wound up having to cut
23 benefits, assess my retirees, \$150 per
24 person, cut their benefits, unprecedented in
25 our history, but unfortunately that's what

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2 had to be done because we weren't getting
3 the hours put into our funds and there was
4 lack of work and it deleted them.

5 The other part of this is that
6 our young people are leaving at a rate of,
7 they say from 20 to age 35, the rate that
8 they're leaving at is going to amount to
9 about 30 percent. I ask you, who is going
10 to put out your fires, who is going to do
11 your training with your kids, who is going
12 to do the volunteer work and everything else
13 in every other capacity? I don't get it.
14 We have thousands of jobs that we offer
15 every year to the young ones and, if we
16 don't keep them, who is going to build our
17 infrastructure and maintain everything that
18 we have? It's a disgrace that the
19 infrastructure looks the way it does from
20 one end of the island to the other, and then
21 New York City. It's just one of those
22 things that's running rampant.

23 In New York City they want to
24 bring, there's a bill out there to bring in
25 people, get help, with tax breaks and

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2 everything else, and not pay the prevailing
3 wage.

4 The reason why they pay the
5 prevailing wage and it was created in the
6 1930s, was to keep people, this area had
7 better working conditions and pay rates, and
8 it was designed to keep the people from
9 coming across the country, infringing on
10 taking those jobs that was the reason why
11 that Bill Davis Bacon was introduced, and
12 Davis and Bacon were two people that lived
13 in New York. That's why you're supposed to
14 get a good wage and a good job.

15 So we are totally in favor of
16 this bill. We have to have this bill. Why
17 should they not have to graduate anybody?
18 Would you want your kids in high school,
19 six, seven, eight years and they didn't
20 graduate? You would get pretty fed up
21 quick. We graduate. We have excellent
22 graduation rates and you'll get all these
23 things and it cost you nothing, and the
24 opportunity for jobs. 60,000 jobs. Our
25 workforce about 44 years old, the average

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2 age, and we provide, through apprenticeship
3 programs, jobs by the hundreds, if not by
4 the thousands depending on the strength of
5 the economy.

6 So I implore you to pass this
7 bill. Suffolk County passed it in the
8 Legislature 15 to one. The City of Long
9 Beach just passed it last week, a five
10 nothing count in our favor, in favor of the
11 bill. I implore you to pass this bill.
12 It's absolutely needed. Charity begins at
13 home. We need to take care of the people
14 that live here and we got to start doing it
15 now. Thank you very much.

16 CHAIRWOMAN FORD: Thank you very
17 much. Mr. O'Kane, you bring up very very
18 good points and why it's so important to us
19 to have this language and I agree with you
20 because a lot of these other companies, they
21 pretend that they actually have these
22 schools and, so, New York State in the past,
23 if you call up and you say, is this a good
24 company, can we give a contract to them,
25 they'll say, well, they are registered, they

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2 have an apprenticeship program, except for
3 the fact that there is no apprenticeship,
4 and they're not graduating anybody.

5 So it's very very important that
6 we see this. Especially for our young
7 people that they know they can get good
8 jobs. One thing that you touched upon
9 that's very important to me is that, while
10 you teach them the skill you also teach them
11 how to work safely. That's one of the more
12 important things. All too often, we can
13 find that there can be accidents on a
14 construction site, but we want to minimize
15 them. And unskilled labor, it seems that we
16 have worse accidents.

17 MR. O'KANE: I'm glad you just
18 brought that up. I left out one thing. I
19 don't know, about five, six, seven years
20 ago, there was 29 fatalities in New York
21 City and Long Island combined. 87 percent
22 of those fatalities were people that had no
23 training whatsoever.

24 So, we will stand behind our
25 record any day of the week. It's important

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2 to what we do. Long Island is the best
3 place to live. We don't want our kids
4 taking off, we don't want our grandkids
5 taking off because there's no jobs.

6 On top of that, another thing I
7 should mention, our contractors are losing
8 work. They're going out of business because
9 they can't compete with these prices.

10 CHAIRWOMAN FORD: It's a
11 disgrace. We want to, if we can, we would
12 like to hire people locally if that's
13 possible, they do pay or taxes. Time to
14 close the loophole.

15 MR. O'KANE: How you going to pay
16 -- keep the services from the municipalities
17 intact if you don't have the taxes? A lot
18 of these people come here, they park their
19 car or truck, bring a trailer with them,
20 sleep on the job. Not even sleeping in a
21 hotel. Nobody really gains except them.

22 CHAIRWOMAN FORD: They really
23 don't care if they do the job right or not.

24 MR. O'KANE: The person that
25 gains the most is the contractor, stuffing a

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2 lot of money in his pocket.

3 CHAIRWOMAN FORD: The rich get
4 richer.

5 MR. O'KANE: Thank you for your
6 time.

7 CHAIRWOMAN FORD: Joe Montebano.

8 MR. MONTEBANO: How you doing?
9 I'm Joe Montebano. I represent labor Local
10 66. I just wanted to speak quickly on a few
11 items with the apprenticeship.

12 I want to say that the
13 apprenticeship is really a continuing
14 education program for our kids that don't go
15 to college here on Long Island. It's really
16 important to give them something, get a good
17 job, they can train while they learn, and to
18 sum up the importance of this bill, right
19 now, if you have an apprenticeship program,
20 you don't have to prove that you graduated
21 anybody. If your school district was able
22 to not have to show proof that they
23 graduated anybody, you would be up in arms.
24 You want that kid to learn something and to
25 graduate.

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2 The bill, like Dick said, passed
3 in Suffolk in February, two weeks ago in
4 Long Beach.

5 I just ask you to consider this
6 bill for Nassau for the safety of the
7 apprentices and the public as well. Thank
8 you.

9 CHAIRWOMAN FORD: Thank you for
10 your comments. Mr. Rhoads.

11 LEGISLATOR RHOADS: Thank you,
12 Madam Chairwoman. Mr. O'Kane, I just want
13 to thank you for giving voice to an
14 important issue. There's no question that
15 if Nassau County is committed to its
16 apprenticeship program, that we need to give
17 it actual teeth. We want to make sure it's
18 actually filling its responsibility to make
19 sure that we have skilled labor working on
20 our job sites.

21 So I want to thank you for taking
22 the time to come in in support of this
23 important piece of legislation.

24 MR. O'KANE: Thank you.

25 CHAIRWOMAN FORD: I'm going to

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2 call it. All those in favor of Clerk Item
3 198-15 please say aye.

4 (Aye.)

5 Any opposed?

6 (No verbal response.)

7 The item passes seven to nothing.
8 Motion to close the hearing.

9 LEGISLATOR RHOADS: So moved.

10 LEGISLATOR KENNEDY: Second.

11 CHAIRWOMAN WALKER: So moved by
12 Legislator Rhoads, seconded by Legislator
13 Kennedy. We are now closed and adjourned.

14 (Whereupon, the Economic &
15 Community Development & Labor Committee
16 adjourned at 4:49 p.m.)

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C E R T I F I C A T E

I, FRANK GRAY, a Shorthand Reporter and
Notary Public in and for the State of New
York, do hereby stated:

THAT I attended at the time and place
above mentioned and took stenographic record
of the proceedings in the above-entitled
matter;

THAT the foregoing transcript is a true
and accurate transcript of the same and the
whole thereof, according to the best of my
ability and belief.

IN WITNESS WHEREOF, I have hereunto set
my hand this 17th day of June, 2015.

FRANK GRAY